

Arthur Miller v. Upton, Cohen &amp; Slamonitz

01CV1126

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Plaintiff +  
Defendant  
Exh. list

Defendant- Defendant does not anticipate offering any deposition testimony in chief.

## X. Exhibits

D.R.

Plaintiff's		
Exhibit No.	Document	Objection
1. <i>6/2/08 rec'd</i>	UC&S "Paperless File" (marked Plaintiff's Exhibit I at depositions)	No objection
2. <i>6/2/08 rec'd</i>	"Defendant UC&S's Response to Plaintiff's First Set of Interrogatories" (marked Plaintiff's Exhibit H at depositions)	No objection
3. <i>6/2/08 rec'd</i>	Letter from Arthur Miller to Lord & Taylor dated February 7, 2000 (marked Defendant's Exhibit B at depositions)	No objection
4. <i>6/2/08 rec'd</i>	Letter to Arthur Miller from May Credit Service Center dated April 3, 2000 (marked Defendant's Exhibit C at depositions)	No objection
5. <i>6/2/08 rec'd</i>	Letter to Wolpoff & Abramson from Arthur Miller dated May 4, 2000 (marked Defendant's Exhibit F at depositions)	Objection. Authenticity
6. <i>6/2/08 rec'd</i>	Letter to Arthur Miller from UC&S dated July 18, 2000	No objection
7. <i>6/2/08 rec'd</i>	UC&S/Lord & Taylor Civil Court Complaint against Arthur Miller (marked Defendant's Exhibit J at depositions)	No objection
8. <i>6/2/08 rec'd</i>	Affidavit of Service of Civil Court Complaint	No objection
9. <i>6/2/08 rec'd</i>	Arthur Miller Answer to Civil Court Complaint	No objection if document referenced is document with date stamp from Civil Court of April 3, 2001
10. <i>6/2/08 rec'd</i>	Stipulation of settlement of Civil Court action	No objection
11. <i>6/2/08 rec'd</i>	Lord & Taylor invoices	Objection because no description is given to allow defendants to identify what specific documents plaintiff intends to introduce at

✓ Rec'd in exd

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Rec'd

		trial
✓ 12. 6/2/08 rec'd	"Affidavit of Mitchell Slamowitz, Esq. in Support of Defendant Upton, Cohen & Slamowitz's Motion to Dismiss and/or for Summary Judgment," sworn to on May 22, 2001	No objection
• 13.	Letter to Laura Bressler from Cohen & Slamowitz dated July 26, 2005	Objection, document not relevant and not produced during discovery period
14.	UC&S fully "REDACTED" "Paperless File"	Objection, relevancy
15.	UC&S fully "REDACTED" screenshot	Objection, relevancy
16.	Affidavit of Mitchell Slamowitz, sworn to on March 21, 2006	No objection
✓ 17. 6/2/08 rec'd	Partially redacted screenshots from UC&S, with information from October 18, 2000 forward redacted	No objection
18.	Collection-Master Software website printout dated July 21, 2006 showing definition of EDI (Electronic Data Interchange)	Objection, no foundation for document and document is hearsay.
19.	Clients on NAN	Objection, no foundation and document is hearsay
20. ID only	NAN Matrix	Objection, no foundation and document is hearsay
21.	NAN EDI Matrix Codes	Objection, no foundation and document is hearsay
22.	UC&S Screen Shots (including un-redacted screenshots from October 18, 2000 forward, which will be subpoenaed)	No objection.
✓ 23. 6/2/08 rec'd	UC&S Summons and Complaint templates	Objection, documents not relevant.
24. ID only	UC&S Affidavit of Facts/Non-Military Affidavit template	Objection, documents not relevant.
25.	Standard "paperless file" report printout, showing the line of initials suppressed by UC&S (marked Plaintiff's Exhibit D at depositions)	Objection, documents not relevant.
26.	Fully un-redacted screenshots from	Objection, documents

I.D. only → 28.

Facsimile from Mr. Miller to Upton, Cohen &amp; Samerwitz

	UC&S with all information, including un-redacted information and initials from October 18, 2000 forward (to be subpoenaed for trial)	ruled not relevant and no challenge to Magistrate's ruling made during discovery period. Not properly sought via a subpoena at trial.
27.	All pages of "paperless file" with the "initials" column unsuppressed (to be subpoenaed for trial)	Objection, documents ruled not relevant and no challenge to Magistrate's ruling made during discovery period. Not properly sought via a subpoena at trial.

## Defendant's

Exhibit No.	Document	Objection
1. I.D. only 6/2/08	February 25, 2000 letter from Wolpoff & Abramson LLP to Arthur Miller (marked as Defendant's Exhibit D in depositions)	Objection, relevancy
2. 6/2/08 entered in evid on 6/3/08	April 26, 2000 letter from Wolpoff & Abramson to Arthur Miller (marked as Defendant's Exhibit E in depositions)	Objection, relevancy
3. 6/2/08 I.D. only 6/3/08 in evid	May 31, 2000 letter from Wolpoff & Abramson to Arthur Miller (marked as Defendant's Exhibit G in depositions)	Objection, relevancy
4.	Consent Judgment and Order of Dismissal executed by Arthur Miller and Wolpoff & Abramson	Objection, relevancy
5. 6/3/08 in evid.	Wolpoff & Abramson collection notes (marked as Exhibit 4)	Objection, relevancy, hearsay, foundation, hearsay, authenticity
6. 6/2/08 in evid	Stipulation of Consent to Vacate Judgment dated March 5, 2001 and signed by Arthur Miller and UCS	Objection, relevancy

Rec'd → 6/3/08 in evid

Alluded subject to connection with testimony of Mr. Abramson who he testified